

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT:

Transport Department – Public Servants – Disciplinary proceedings initiated against Sri Mohd. Nayeemuddin, Transport Constable – Punishment of penalty of postponement of two increments with cumulative effect imposed – Appeal filed – Allowed – Orders – Issued.

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TRANSPORT, ROADS & BUILDINGS (VIG.III.1) DEPARTMENT

G.O.Rt.No. 314

Dated:25.2.2009.

Read the following:-

1. Proceedings of the Transport Commissioner, Andhra Pradesh Hyderabad R.No.21571/X1/95, Dated 2.7.1999.
2. Govt.Memo.No.17384/Tr.I/1/1999-5, TR&B Department, Dated 11.9.2003.
3. Orders of Hon'ble Andhra Pradesh Administrative Tribunal, Dated 30.3.2007 in O.A.No.1813/2004 filed by Sri Mohd. Nayeemuddin.
4. Representation from Sri Mohd. Nayeemuddin, Transport Constable, Dated NIL.
5. From the Transport Commissioner, Andhra Pradesh, Hyderabad Lr.No.21571/V3/1995, Dated 25.7.2007.
6. Govt.Memo.No.5101/Vig.III/1/2007-4, TR&B Department, Dated 5.9.2007.
7. From the Transport Commissioner, Andhra Pradesh, Hyderabad Lr.No.21571/V3/1995, Dated 8.1.2008.

ORDER:

In the Proceedings 1st read above, orders were issued imposing a punishment of stoppage of two increments with cumulative effect against Sri Mohd. Nayeemuddin, Transport Constable on the charge that he committed certain irregularities while he was working at Shapur Check Post. Aggrieved by the said orders, he filed an appeal before the Government and the same was rejected vide Memo. 2nd read above. Against the rejection of appeal, he filed O.A.No.1813/2004 before the Hon'ble Tribunal stating that Government have allowed the appeal filed by co-charged officer on the punishment imposed on him, against whom similar charges were framed and whereas in his case, the Government have rejected the same. The Hon'ble Tribunal in its orders 3rd read above, has observed that in all fairness punishment should have been leveled equally on both the delinquent officers or the punishment should have been set aside for both the delinquent officers and directed the applicant to file a representation before the Respondent.

2. Accordingly, in the reference 4th read above, Sri Mohd. Nayeemuddin, Transport Constable has submitted a representation requesting to cancel the orders of punishment issued in the Proceedings 1st read above.

3. In the Letter 7th read above, the Transport Commissioner, Andhra Pradesh, Hyderabad inter-alia has requested to extend the benefit of doubt in case of Sri Mohd Nayeemuddin, Transport Constable also as was given in the case of co-charged officer.

4. Government after careful examination of the matter, have decided to set-aside the punishment imposed against Sri Mohd. Nayeemuddin, Transport Constable vide Proceedings 1st read above

5. Accordingly, Government hereby set aside the punishment of stoppage of two increments with cumulative effect inflicted by the Transport Commissioner, Andhra Pradesh, Hyderabad, in his Proceedings 1st read above.

6. The original file bearing No.21571/V3/1995 containing pages 1 – 155 c.f. received with the reference 5th read above is returned herewith.

7. The Transport Commissioner, Andhra Pradesh, Hyderabad shall take necessary further action in the matter and acknowledge the receipt of the records immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASHWINI KUMAR PARIDA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Transport Commissioner, Andhra Pradesh, Hyderabad.
(with records in original)

Copy to:

The Director General, Anti - Corruption Bureau, Andhra Pradesh, Hyderabad.

The Secretary, Andhra Pradesh Vigilance Commission, Hyderabad.

SF/SC

// FORWARDED BY ORDER //

SECTION OFFICER